

Remarks

In the non-final Office Action mailed February 25, 2004 ("the Office Action"), the United States Patent and Trademark Office ("the Patent Office") stated that claims 1-12 are pending in the present patent application, that claims 1-4 and 7-12 are withdrawn from further consideration, and that claims 5 and 6 are rejected. The Patent Office further deemed the prior restriction requirement proper and final. Claims 5 and 6 are rejected under 35 U.S.C. § 112, first paragraph. Claims 5 and 6 are rejected under 35 U.S.C. § 112, second paragraph.

Rejection of Pending Claims 5 and 6 under 35 U.S.C. § 112, First Paragraph:

In the Office Action, the Patent Office rejected pending claims 5 and 6 under 35 U.S.C. § 112, first paragraph. The Patent Office variously alleged that claims 5 and 6 did not satisfy the written description requirement, that claims 5 and 6 failed to comply with the enablement requirement, and that claim 6 was not enabled for the full scope of the claim.

While not acceding to the Patent Office's allegations regarding claims 5 and 6, the claims have been amended to clarify the nature of the presently claimed invention. The amendments are made without prejudice to future prosecution, without disclaimer of any subject matter, and without presumption that the actions are taken for any reason related to patentability. The amendments are fully supported throughout the specification, in particular by Examples 3, 4, 5, and 7 as well as the data present in Figure 3.

Referring to these Examples and the Figure, one skilled in the art, given what was well known in the art at the time the invention was made, would clearly recognize that the applicants have provided a sufficient written description of the claimed invention, have fully complied with the enablement requirement, and have enabled the full scope of the claims.

The present claims are drawn to methods of blocking the formation or activity of the assembly, which a person skilled in the art would agree are fully described and enabled. The present claims are not drawn to compositions of matter that block the formation or activity of the

assembly, which the Patent Office apparently alleges must be described and enabled by the disclosure of specific compounds.

Referring specifically to the rejection of claim 6 under 35 U.S.C. § 112, first paragraph, scope of enablement, the Patent Office twice states that the specification *may* be enabling for treating Alzheimer's disease, related dementias, and related memory disorders [emphasis in the Office Action]. The applicants unequivocally state that the specification fully enables the scope of the claimed invention, especially in view of what was well known to a person skilled in the art at the time the invention was made.

In view of the amendments and remarks, the applicants respectfully request reconsideration and withdrawal of the rejection of claims 5 and 6 under 35 U.S.C. § 112, first paragraph.

Rejection of Claims 5 and 6 under 35 U.S.C. § 112, Second Paragraph:

In the Office Action, the Patent Office rejected pending claims 5 and 6 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicants regard as the invention.

Without acceding to the allegations of the Patent Office, claims 5 and 6 have been amended to clarify the nature of the claimed invention. Again, the amendments are made without prejudice to future prosecution, without disclaimer of any subject matter, and without presumption that the actions are taken for any reason related to patentability. The Patent Office alleges that the term "protecting" is not defined in the specification. However, the definition of "protecting" is well known to persons skilled in the art, as well as to persons unskilled in the art. The term "protecting" derives from the term "protect," which means to shield from injury, damage, or harm. Since the assembly of claims 5 and 6 is neurotoxic, an inhibitor of the formation or activity of the assembly would necessarily shield neuronal cells, or brain cells, from injury, damage, or harm. Thus, the applicants respectfully assert that the terms "protecting," "protects," and "protective" are fully defined.

In the Office Action, the Patent Office further alleges that claims 5 and 6 are incomplete for omitting essential steps. Again without acceding to the allegations in the Office Action,

claims 5 and 6 have been amended to clarify the nature of the claimed invention. The applicants respectfully assert that there are no gaps between the steps and, thus, no essential steps are omitted.

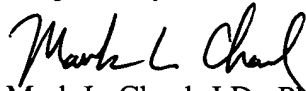
In view of the amendments and remarks, the applicants respectfully request reconsideration and withdrawal of the rejection of claims 5 and 6 under 35 U.S.C. § 112, second paragraph.

Conclusion

The applicants respectfully request reconsideration of the claims in view of the remarks and amendments above. The amendments are requested without prejudice to future prosecution, without disclaimer of any subject matter, and without presumption that the actions are taken for any reason related to patentability. The applicants urge the Patent Office to contact the applicants' representative at 312 913 2117, if the Patent Office believes such contact would expedite prosecution of this application. The Commissioner is authorized to debit or credit Deposit Account No. 13-2490 for any fees underpaid or overpaid, respectively. The applicants respectfully assert that the pending claims are allowable and request prompt issuance of a Notice of Allowability as well as a Notice of Allowance and Issue Fee Due

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Respectfully submitted,



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